

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JEFFREY S. NELSON,

Plaintiff,

v.

ORDER

Civil File No. 04-192 (MJD/JGL)

STATE OF MINNESOTA, et al.

Defendants.

Jeffrey S. Nelson, pro se.

David A. Rowley and Barbara Berg Windels, Assistant Attorneys General, State of Minnesota, Counsel for Defendants.

The above-entitled matter comes before the Court upon the Report and Recommendation of Chief United States Magistrate Judge Jonathan Lebedoff dated July 20, 2005. Plaintiff filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.1(c). Based on that review the Court adopts the Report and Recommendation dated July 20, 2005.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Chief Magistrate Judge's Report and Recommendation dated

July 20, 2005, [Docket No. 36] is hereby **ADOPTED**.

2. Defendants' Motion for Summary Judgment [Docket No. 14] is **GRANTED** and the Complaint is **DISMISSED WITH PREJUDICE**.

Dated: September 8, 2005

s/ Michael J. Davis
Judge Michael J. Davis
United States District Court